

STATE OF ILLINOIS
ILLINOIS COMMERCE COMMISSION

CITY OF COLUMBIA, ILLINOIS,)	
)	
vs.)	
)	
ILLINOIS-AMERICAN WATER)	Docket No. 00-0679
COMPANY,)	
)	
COMPLAINT AS TO PROVIDING)	
SERVICE OUTSIDE OF UTILITY'S)	
CERTIFICATED SERVICE AREA)	
IN MONROE COUNTY, ILLINOIS)	

SETTLEMENT AGREEMENT

Petitioner, City of Columbia, Illinois ("Columbia") and Respondent, Illinois-American Water Company ("Illinois-American"), by and through their respective attorneys, hereby stipulate and agree that the parties have reached a compromise regarding the allegations of Petitioner's Complaint. The terms of the settlement agreement are as follows:

1. Illinois-American holds a Certificate of Public Convenience and Necessity issued by the Illinois Commerce Commission in ICC Docket No. 96-0353 pursuant to which it provides water service to customers, inter alia, along Illinois State Route 158. A portion of the boundary of the Certificate granted to Illinois-American Water Company in such docket is the northern right-of-way line of Illinois State Route 158.

2. Illinois-American has an existing 12-inch water main on the south side of Illinois State Route 158 between Quarry Road and Centerville Road.

3. Pursuant to the proposed order issued in Docket No. 00-0679, Illinois-American will request that the Illinois Commerce Commission ("Commission") grant it a temporary and permanent certificate of convenience and necessity to allow it to provide service to the two residences located at 625 and 631 State Route 158, to wit:

I.

BOYLE RESIDENCE AT 631 STATE ROUTE 158

Beginning at the Northeast corner of Section 23 T. 1 S., R. 10 W. of the 3rd P.M., Monroe County, Illinois, thence South 61.5 feet along the East line of the said Northeast Quarter (1/4) to a point on the Northerly Right-of-Way line of S. B. I. Route 158, thence Southwesterly 120.5 feet along the said Northerly Right-of-Way line to a post, thence North 33° West 253.5 feet to a post, thence North 75° 30' East 243 feet to a post on the Southerly right-of-way line of a public road known as the Columbia Quarry Road, thence South 47° 30' East 242 feet along the Southerly Right-of-Way line of the said Columbia Quarry Road to its intersection with the South line of Section 13 T. 1 S., R. 10 West, thence West 169 feet along the said Section line to the place of beginning, containing 1.26 acres, more or less, and being part of the Northeast Quarter (1/4) of the Northeast Quarter (1/4) of Section 23; and part of the Southeast Quarter (1/4) of the Southeast Quarter (1/4) of Section 14 and part of the Southwest Quarter (1/4) of the Southwest Quarter (1/4) of Section 13, all in T. 1. S., R. 10 West of the 3rd P.m., and being partly in Monroe County and partly in St. Clair County, Illinois.

II.

DAWSON RESIDENCE AT 625 STATE ROUTE 158

Commencing at the Northeast corner of Section 23 of T. 1 S., R. 10 W. of the 3rd P.M., Monroe County, Illinois, thence South 61.5 feet along the East line of said Section 23, to a post, on the Northerly right-of-way line of S.B.I. Route 158, thence Southwesterly along the said Northerly right-of-way line 120.5 feet to a post for a point of beginning; thence North 33° West 253.3 feet to a post, thence South 75° 30' West 222 feet to a post, thence South 35° West 49 feet to an

iron pin at the North line of said Section 23, thence West along the said North line of Section 23 a distance of 17 feet to an iron pin, thence South 17° East 227.5 feet to a post, thence South 65° 40' East 109 feet to a point on the said Northerly right-of-way line of S.B.I. Route 158, thence Northeasterly along the said Northerly right-of-way line a distance of 264 feet to the place of beginning, containing 2.03 acres, more or less, and being part of the Southeast Quarter of the Southeast Quarter, Section 14, and part of the Northeast Quarter of the Northeast Quarter of Section 23 in T. 1 S., R. 10 W. of the 3rd P.M., Monroe County, Illinois.

4. Illinois-American will not seek to provide water service to a third residence located at 607 State Route 158, to wit:

BARBARA FULFORD RESIDENCE AT 607 STATE ROUTE 158

Beginning at a post on the North line of Section No. Twenty-three (23) T. 1 S., R. 10 W. of the 3rd P.M. from which point the Northeast corner of said Section Twenty-three (23) bears South 89° East 504 feet and Six (6) inches; thence South 17° East 227 feet and 6 inches to an iron pipe; thence South 65° 40' East 109 feet to a culvert on the right-of-way line of State Bond Issue Route No. 158; thence South 42° 45' West along the Northerly right-of-way line of said Road 531 feet and three (3) inches to a post; thence North 3° East 679 feet and 9 inches to a post on the North line of said Section No. 23; thence South 89° East 180 feet and 9 inches to the place of beginning; containing 3.05 acres and being part of the Northeast Quarter of the Northeast Quarter of Section No. Twenty-three (23) T. 1 S., R. 10 W. of the 3rd P.M., Monroe County and State of Illinois.


5. Should it be requested to do so by Barbara A. Fulford, Columbia will provide water service to Barbara A. Fulford at her residence at 607 State Route 158 without charging its customary connection fee or surcharge in accordance with the Real Estate Sales Agreement between Charles H. Fulford, deceased, and Barbara A. Fulford, dated the 15th day of February, 1999, whereby the City acquired a Deed of Right-of-Way Easement for its Quarry Road waterline which Deed is dated

February 15, 1999, and recorded in the Monroe County, Illinois Recorder's Office in Deed Book 217, on Pages 844-848, as Document No. 230081.


6. Columbia will support Illinois-American's petitions for temporary and permanent certificates of convenience and necessity to provide service to the two residences at 625 and 631 State Route 158.

7. Illinois-American will not, in the future, provide direct service to new customer locations which are physically outside the area certificated to Illinois-American for service but whose service connection is located within the certificated area, without first obtaining a certificate of convenience and necessity from the Illinois Commerce Commission to provide the water service for the same.

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